

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
CIVIL ACTION NO.: 5:24-cv-151-D-RJ**

THE PHOENIX INSURANCE )  
COMPANY, as subrogee of East West )  
Manufacturing, LLC, )  
Plaintiff, )  
vs. )  
PHD ENERGY, INC. and )  
FLOCK GROUP INC., )  
Defendants. )

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**ORDER TO CONSOLIDATE**

Pursuant to F. R. Civ. P 42(a), Plaintiff, The Phoenix Insurance Company, as subrogee of East West Manufacturing, LLC (“Phoenix”) made application to consolidate the instant litigation with Case No. 5:24-cv-00210-M-BM for discovery and trial. Counsel for all parties in both cases consent to the consolidation.

After reviewing the court records and the accompanying Brief in Support of Phoenix’s Consent Motion to Consolidate, the Court finds that these actions involve common questions of law and fact and that good cause exists and warrants that these matters be consolidated for discovery and trial.

**IT IS NOW ORDERED** that Phoenix’s Consent Motion to Consolidate is **GRANTED** and the cases captioned *The Phoenix Insurance Company, as subrogee of East West Manufacturing, Inc. v. PHD Energy, Inc. and Flock Group Inc.*, Case No. 5:24-cv-151-D-RJ, and *Selective Insurance Company of America v. PHD Energy, Inc. and Flock Group Inc.*, Case

No. 5:24-cv-00210-M-BM, are hereby consolidated for all pre-trial proceedings and trial. The case captioned *The Phoenix Insurance Company, as subrogee of East West Manufacturing, Inc. v. PHD Energy, Inc. and Flock Group Inc.*, Case No. 5:24-cv-151-D-RJ, shall be the lead case. All further pleadings, motions, briefs, and other allowable filings shall be filed in that case only.

SO ORDERED. This the 15 day of July, 2024.

  
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JAMES C. DEVER III  
United States District Judge